IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

CRP.No. 361 of 2006()

AGAINST THE JUDGMENT DT.19.7.04 IN ELE9OP.)161/1994 of ADDL.DISTRICT COURT-I,MAVELIKKARA.

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REVN. PETITIONER: RESPONDENT

KERALA STATE ELECTRICITY BOARD
REPRESENTED BY ITS SECRETARY,
VYDYUTHI BHAVAN, THIRUVANANTHAPURAM.

BY ADV. SRI.JOSE J.MATHEIKEL, SC, KSEB

RESPONDENTS: PETITIONER

SULAIMAN KUNJU,
EDAYILE VEEDU, PUTHIYOOR VILLAGE,
ERUVA PADINJAREMURI.

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 15/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P.BALACHANDRAN, J.

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C.M.Appl.No.377 OF 2006 &
C.R.P.NO.361 OF 2006

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Dated this the 15th day of February 2007

ORDER

C.M.Appl.No.377 of 2006:

This is an application filed by the petitioner in C.R.P.361 of 2006 for condonation of delay of 172 days in filing the Civil Revision Petition. The averments in the affidavit filed by the Assistant Executive Engineer of the petitioner/Board in support of the application shows that the order was passed as early as on 19.7.2004 but application for certified copy of the order was made only on 27.11.2004. For this delay there is absolutely no explanation furnished. Thereafter stamps were called for on 21.2.2005 and were produced on 24.2.2005. Though copy was ready on 2.5.2005 it was received only on 17.5.2005. It is further seen that the affidavit is solemised as early as on 27.6.2005 and the petition also is dated 27.6.2005 but is filed only on 26.9.2005. There is absolutely no explanation for this delay as well. All these show the irresponsible way in which the matter was dealt with by the petitioner/Board. There is no reason why the petitioner has to be shown any indulgence and

unmerited leniency to the prejudice of the respondent. The delay in the circumstances is not liable to be condoned. This C.M.Application is dismissed.

C.R.P.No.361 of 2006:

C.M.Application 377 of 2006 seeking condonation of delay of 172 days in filing the revision is dismissed. Consequently, this revision is time barred and is dismissed.

K.P.BALACHANDRAN, JUDGE

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